

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Chapter 13
Helen Carter	:	
Debtor	:	Bankruptcy No. 18-15166AMC
	:	

ORDER

Upon consideration of the Motion for Relief from Stay Nunc Pro Tunc in re: 2023 Moore Street, Philadelphia, PA 19145 (“Motion”) filed by Nationstar Mortgage LLC (“Nationstar”) and no objection filed thereto by Helen Carter (“Debtor”) and the Debtor having failed to appear at the hearing scheduled in connection with the Motion on December 4, 2018, the Court hereby finds:

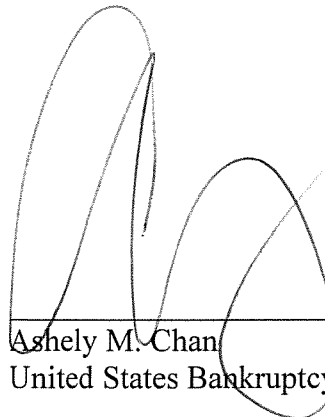
1. The Debtor has failed to provide any evidence that she either has an ownership interest in 2023 Moore Street, Philadelphia, PA 19145 (“Property”) or is in possession of the Property. Accordingly, the automatic stay never applied in this case with regard to the Property.
2. The Court also finds that the Debtor has filed this bankruptcy case in bad faith to avoid the foreclosure sale of the Property.
3. Based upon the fact that Nationstar had no notice of the Debtor’s bankruptcy filing prior to conducting its foreclosure sale of the Property, that the Debtor has acted in bad faith to avoid the foreclosure sale of the Property and that Nationstar would be prejudiced if the Motion is not granted because the expenses of beginning anew would outweigh the benefit to anyone, the Court finds that, even if the Debtor had ownership or possessory rights in the Property, exceptional circumstances exist to justify retroactively annulling the automatic stay with regard to the Property.

4. The Court also finds that there is no equity in the Property and that it is not necessary for an effective reorganization.

Based upon the foregoing, it is hereby ORDERED that:

- A. The Motion is granted and Nationstar is granted relief from the automatic stay on a nunc pro tunc basis such that the Sheriff Sale of the Property located at 2023 Moore Street, Philadelphia, PA 19145 that occurred on August 7, 2018 in Philadelphia County is found not to have been done in violation of the automatic stay in this case, and prospectively in that they may proceed to take any lawful action as may be appropriate to confirm and defend the outcome of said Sheriff Sale and to obtain possession of the Property from the Debtor.
- B. The Clerk's Office is hereby directed to close this bankruptcy case.

Date: December 4, 2018



Ashely M. Chan
United States Bankruptcy Judge